

Town of Clarence  
Town Environmental Quality Review Committee  
Meeting Minutes of May 15, 2006

**Attendance:**

Matt Balling, TEQR Chairman  
Lisa Bertino-Beaser, TEQR Member  
Richard McNamara, TEQR Member  
Albert Schultz, TEQR Member  
Paul Shear, TEQR Member  
Patrick Miner, TEQR Member  
John Moulin, TEQR Member  
Jim Callahan, Director of Community Development  
Jim Hartz, Assistant Director of Community Development  
Steve Bengart, Town Attorney

**Other interested parties:**

Councilman Scott Bylewski  
Rob Pidanic  
Peter Sorgi  
Jeffery Grenzebach  
Dominic Piestrak  
William Pine

**Agenda Item #1 - Approval of Minutes**

**ACTION:** Motion made by Paul Shear, seconded by Lisa Beaser to **approve** the minutes from the April 17, 2006 meeting.

**VOTING:** Ayes: ALL  
Nays: NONE

**MOTION PASSED.**

**Agenda Item #2 - Communications:**

TEQR is invited to come to the PB meeting about land use law training. Anyone on the committee can attend.

**Agenda Item #3 - Unfinished Business:**

**Agenda Item #3.a. – Stage and Schurr Subdivision**

Jim Callahan introduced the project being tabled previously, the applicant will be plowing and discing the site, with hopes of having information to present at next meeting. No new information was found yet.

**ACTION:** Motion by Matt Balling, seconded by Moulin, to **table** Agenda Item #3.a., at the request of the applicant, to allow more time to complete the archeological study until further information is brought forth.

**VOTING:** Ayes: ALL  
Nays: NONE

**MOTION PASSED.**

**Agenda Item #3.b. – Dominic Piestrak-Roll Road Industrial Business Park at 8540 Roll Road**

Jim Callahan introduced the project. The total property is 102 acres. The proposed project is 29 acres, zoned industrial business park identified by the Master Plan.

Mr. Piestrak says the project hasn't changed since the last time at the board. He clarified for the board the size and purpose of the project. He stated that he is working with three other primarily residential developers, all new to commercial developing.

John Moulin asked the applicant if the northern section would be landlocked. Piestrak said that he has agreements with a surrounding owner who has property on Newhouse Road, owned by Don Steinwachs, who are also partners, for access and agreed on the site being developed for commercial use.

Albert Schultz asked although the property does not have a specific intended use, will the project be tied into the public sewer district 6. Mr. Piestrak said that the IDA has available money for sewers. It would be OK to tie into the sewer district because it would be running opposite peak periods. He is prepared to go either way, although he would like to use sewers.

Matt Balling stated that the LOS of Harris Hill Road is failing according to the traffic study. His question is, what sort of traffic will be going to and coming from the project. Mr. Piestrak stated that he did not know either, no businesses have been decided on. Mr. Balling would like to know how the traffic study was done without the type of traffic determined. Mr. Piestrak stated that he feels the Harris Hill Road problem would be fixed by extending it north to Clarence Center Road. He also stated that it is very difficult to determine because they do not know the intended use. Mr. Balling feels that the traffic problem is that there is only one way in and out. Mr. Piestrak said that he would be in contact with the owner of the property next-door to see if there is any way to alleviate traffic problems.

John Moulin asked if the roadway would be public or private. Mr. Piestrak said it is “not a call he can make”. He reaffirmed his position on the extension of Harris Hill Road to take pressure off of Transit Road.

Mr. William Tuyn reminded the board that the extension of Harris Hill would be a public ROW. He said that the road through the industrial park would most likely be a private road, but could be public. Also, another road could be built through neighboring property for better access.

Matt Balling stated he would like to determine whether or not this proposal is segmentation or if it is permissible segmentation. In his opinion, he doesn’t believe it represents that the Town would be in any jeopardy because the land is contiguous with another property of similar function. There is no proposed future exit and no land use identified to the north. For proposed actions that involve so much speculation, permissible segmentation could be allowed.

**ACTION:** Motion by Matt Balling, seconded by Al Schultz, that the proposed action can be considered permissible segmentation.

**VOTING:** Ayes: Rest  
Nays: Shear

**MOTION PASSED.**

Matt Balling determined the next step would be to complete a Part II for the project and submit it to the Town Board. Answering the first question, Balling stated the question and offered an answer of YES the site will be physically changed with about 14 months of construction. Protected water would be impacted but Tuyn stated that Gott Creek already has a roadway and the new roadway would help flow of the creek, not constrict it. It was determined that the construction and paving off the road would help reduce the flow of runoff. Although potentially located in an archaeological zone, there is no impact on any features. Items of large impact are wetland impact, non-protected water, and transportation. Transportation requires a further in-depth study.

**ACTION:** Motion by Shear, seconded by Beaser, to table the project until the next TEQR meeting. Then studies will be finished and questions will be better answered concerning traffic and environmental issues, along with answers from owners of surrounding properties.

**VOTING:** Ayes: ALL  
Nays: NONE

**MOTION PASSED.**

## **Agenda Item #4 – New Business**

### **Agenda Item #4.a. – Creekwood Meadows Subdivision**

The Committee did not review the Part I of this subdivision because it was submitted to the Planning and Zoning Department the day of the meeting, along with the site plan.

Jim Callahan introduced the project as a new open space design subdivision. Speaking about the project are Rob Pidanick and Peter Sorgi representing Anthony Cimato. They are requesting to have 27 lots on the property. It is a 28.8-acre property, creating a residential, single-family detached homes subdivision. It is in Erie County Sewer District #5.

Matt Balling stated that they were prepared to ask basic questions, they were not prepared to make any recommendations to the Town Board because they did not receive the Part I until today.

**ACTION:** Motion by Matt Balling, seconded by Albert Schultz, to **table** Item #4.a. to allow time for review of the Part I by the committee.

**VOTING:** Ayes: ALL  
Nays: NONE

**MOTION PASSED.**

### **Agenda Item #4.b. – SEQRA Sewer Addendum**

The Town Engineer's Office is working on amendments and it will be ready for the next meeting. Recommendations will be ready for the next TEQR committee meeting. The town should dictate the number of sewer taps, and not the applicants.

**ACTION:** Motion by Matt Balling, seconded by Shear to table Item #4.b. until the next TEQR meeting.

**VOTING:** Ayes: ALL  
Nays: NONE

## **Agenda Item #5 – Miscellaneous**

### **Agenda Item #5.a. – Residential Building Cap-SEQRA on Recommendation**

The previous 30-day period expired. The Part II was completed before the meeting regarding a recommendation of single family residential.

**ACTION:** Motion by Matt Balling, seconded by Lisa Bertino-Beaser, to issue a NEGATIVE declaration for Item #5.a. referring it back to the Town Board.

**VOTING:** Ayes: REST  
Nays: Shear  
Abstain: Miner

**MOTION PASSED.**

**Agenda Item #5.b. – Adequate Public Facilities Local Law/Amendments to Master Plan 2015**

A report is expected by the end of Spring 2006. It is now pushed back to June, to determine the timing and extent of the law.

**ACTION:** Motion by Matt Balling, seconded by Schultz, to **table** Agenda Item #5.b. pending the expected report.

**VOTING:** Ayes: ALL  
Nays: NONE

**MOTION PASSED.**

**Agenda Item #5.C. – Land Use Training**

Matt Balling said that nine have completed the training so far. Jerry Drinkard encourages the committee to complete or look over the material. Councilman Bylewski stated that it is possible that it would become required to complete for reappointment to the committee.

**Agenda Item #6 – Establish next meeting date**

Matt Balling states the next meeting date is Monday, June 19, 2006.

Meeting adjourned at 8:35 p.m..

Matt Balling, Chairman